

HOUSE BILL 878

C3

0lr3188
CF SB 313

By: **Delegate Mizeur**

Introduced and read first time: February 10, 2010

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Annual Preventive Care**

3 FOR the purpose of ~~prohibiting certain insurers, nonprofit health service plans, and~~
4 ~~health maintenance organizations that provide covered benefits for annual~~
5 ~~preventive care from denying coverage solely because a certain number of days~~
6 ~~has not elapsed since the previous annual preventive care occurred;~~ requiring
7 the certain insurers, nonprofit health service plans, and health maintenance
8 organizations to provide coverage for the certain types of annual preventive care
9 if certain conditions are met; prohibiting certain provisions from being
10 construed to require coverage for a certain service; making certain requirements
11 applicable to health maintenance organizations; defining a certain term;
12 providing for the application of this Act; and generally relating to health
13 insurance coverage for annual preventive care.

14 BY adding to

15 Article – Insurance

16 Section 15–134

17 Annotated Code of Maryland

18 (2006 Replacement Volume and 2009 Supplement)

19 BY adding to

20 Article – Health – General

21 Section 19–706(ccc)

22 Annotated Code of Maryland

23 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Insurance**

4 **15-134.**

5 (A) (1) IN THIS SECTION, “ANNUAL PREVENTIVE CARE” MEANS AN
6 ANNUAL PREVENTIVE VISIT, SCREENING, OR EXAMINATION THAT IS A COVERED
7 BENEFIT UNDER A POLICY OR CONTRACT ISSUED OR DELIVERED BY AN ENTITY
8 SUBJECT TO THIS SECTION.

9 (2) “ANNUAL PREVENTIVE CARE” INCLUDES, IF THE SERVICE IS A
10 COVERED BENEFIT:

11 (I) AN ANNUAL CHILD WELLNESS VISIT;

12 (II) A ROUTINE GYNECOLOGICAL VISIT; ~~AND~~

13 (III) A SCREENING TEST OR EXAMINATION FOR COLORECTAL
14 CANCER, CHLAMYDIA, HUMAN PAPILLOMAVIRUS, PROSTATE CANCER, OR
15 BREAST CANCER; AND

16 (IV) AN ANNUAL VISION VISIT THAT INCLUDES A VISION
17 EXAMINATION.

18 (B) THIS SECTION APPLIES TO:

19 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
20 PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR
21 GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE
22 POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

23 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
24 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS
25 UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

26 (C) AN ENTITY SUBJECT TO THIS SECTION THAT PROVIDES COVERED
27 BENEFITS FOR ANNUAL PREVENTIVE CARE:

28 ~~(1) MAY NOT DENY COVERAGE FOR THE ANNUAL PREVENTIVE~~
29 ~~CARE SOLELY BECAUSE 365 DAYS HAVE NOT YET ELAPSED SINCE THE PREVIOUS~~
30 ~~ANNUAL PREVENTIVE CARE OCCURRED; AND~~

1 ~~(2)~~ SHALL PROVIDE COVERAGE FOR THE ANNUAL PREVENTIVE
2 CARE IF:

3 ~~(1)~~ (1) THE ANNUAL PREVENTIVE CARE IS PROVIDED NO
4 MORE THAN ~~45 DAYS BEFORE THE ANNIVERSARY DATE FOR THE ANNUAL~~
5 ~~PREVENTIVE CARE~~ ONCE AT ANY TIME DURING THE PLAN YEAR ESTABLISHED IN
6 THE POLICY OR CONTRACT; AND

7 ~~(2)~~ (2) ANY OTHER REQUIREMENTS FOR COVERAGE OF THE
8 ANNUAL PREVENTIVE CARE ARE MET.

9 (D) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE COVERAGE
10 FOR A SERVICE NOT OTHERWISE REQUIRED BY LAW.

11 Article - Health - General

12 19-706.

13 (CCCC) THE REQUIREMENTS OF § 15-134 OF THE INSURANCE
14 ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
16 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
17 on or after October 1, 2010, or, for policies, contracts, and health benefit plans in effect
18 in the State on October 1, 2010, but not subject to renewal before October 1, 2011, no
19 later than October 1, 2011.

20 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.